JONES DAY

HOUSTON OFFICE
STAFF PERFORMANCE EVALUATION

2002

EMPLOYEE: Ava Slaughter EVALUATOR: Kevin Richardson

DEPARTMENT: Global Information Services

JOB TITLE: Technology Support Specialist

Exposure to employee's performance within the last 12 months: ☑ Extensive ☐ Moderate ☐ Limited

PERFORMANCE CRITERIA		Outstanding	Exceeds Requirements	Satisfactory	Needs Improvement	Unsatisfactory	Not Applicable
WORK-RELATED SKILLS	1. Understanding of and level of proficiency in:						
	Operating system environments	✓	✓				
	Jones Day standard software applications		✓				
	Hardware configurations		✓				
	PC/JDNET integration		✓				
	Clients/servers		✓				
	Networking and communications		✓				
	Troubleshooting and diagnostics		✓				
	2. Understanding of and adherence to established GIS policies and procedures			✓			
	3. Ability to choose appropriate action in event of emergency or critical need		✓				
	4. Quality of work		✓				
	5. Speed of work			✓			
	6. Assumption of active role in skill development and enhancement			✓			
JOB EXECUTION	1. Follow-through on instructions				✓		
	2. Judgment			✓			
	3. Response to pressure and changes in instructions, systems, needs and priorities			✓			
	4. Demonstration of initiative			✓			
	5. Teamwork, including assisting others during idle periods			✓			
	6. Mastery of new skills and processes, as necessary		✓				
	7. Acceptance of guidance and application of constructive feedback to improve work performance			✓			
	8. Adherence to established department, Office and Firm procedures			✓			
TIME MANAGEMENT	1. Prioritization of multiple work assignments			✓			
	2. Communication regarding whereabouts, and practice of limiting personal time away from department			✓			
	3. Working of overtime, as necessary	✓					
	4. Practice of limiting number and duration of personal telephone calls			✓			
	5. Punctuality; beginning and returning to work on time				✓		
	6. Maintenance of good attendance record; appropriate management of leave		✓				
INTER-PERSONAL	1. Effectiveness of communication with department supervisory and Office and Firm administrative staff				✓		
	2. Effectiveness with lawyers and other staff throughout the Office and Firm			✓			
	3. Professional and constructive approach to work, Office and Firm			✓			

000301

Employee: Ava Slaughter
Department: GIS
Job Title: Technology Support Specialist

Evaluator: Kevin Richardson

Please provide brief narrative of this employee's strengths and areas needing improvement:

Ava is a hard worker who often stays late to complete her assigned tasks. She understands and maintains JDNET, she works well with the PBX and Nortel phone system and, to a limited extent, she continues to maintain the BGCH network. She is proficient in troubleshooting both network and hardware problems.

Ava needs to better organize her time - the technology requirements of a growing and dynamic office require a well organized GIS Department commensurate with other Jones Day offices. If Ava is better organized she will be in a better position to anticipate the needs of the office and respond proactively - better organization will provide for better time management. Additionally, Ava must consistently follow through with user requests and communicate such follow-up. The most effective way for me to support Ava is if Ava consistently communicates to me problems and/or issues affecting the Office.

Please list three developmental goals, skills or areas in which you would like this employee to focus for the coming year:

(1) Organization:
Update and maintain equipment inventory; organize server room and phone room - document and discard obsolete equipment. Discard "junk" that has gathered over the years;
(2) Communication
Increase communication with OA and end-users; consistent and timely follow through with requests. Notify OA of Firmside GIS initiatives, office problems, issues, etc.
(3) Technology:
Complete the "retirement" of the BGCH network. Communication to lawyers and staff re: same; Work closely with Firm GIS to ensure the successful roll-out of iManage; devote time to professional development, including attendance at technology workshops and organization and/or communication workshops.

6/21/02

6/21/02

JONES DAY

HOUSTON OFFICE 2002
PERFORMANCE EVALUATION ADDITIONAL COMMENTS

Please use this form to submit any desired comments regarding any employee whose performance you would like to comment upon, but whom you have not been asked to evaluate in the course of the annual evaluation process.

EMPLOYEE: Ava Slaughter EVALUATOR: Jason Leif

DEPARTMENT: ISS

JOB TITLE: Technology Support Specialist

Exposure to employee's performance within the last 12 months: ☐ Extensive ☑ Moderate ☐ Limited

Circumstances prompting comments:

I have needed special assistance on a number of occasions.

Comments:

While Ava tries hard, she often ~~is~~ appears harried and unorganized. I find that to get a response to an inquiry I need to page her — emails and messages go unreturned. I would have concerns about her ability to handle a larger staff as our office continues to grow and assuming we have more ISS staff

Signed by Evaluator: [signature] Date: 5/20/02

Have you discussed your evaluation with the employee? ☐ YES ☒ NO

Signed by Employee: [signature] Date: 6/21/02

THIS EVALUATION WILL BE OPEN TO THE EMPLOYEE

JONES DAY

HOUSTON OFFICE

PERFORMANCE EVALUATION ADDITIONAL COMMENTS

2002

Please use this form to submit any desired comments regarding any employee whose performance you would like to comment upon, but whom you have not been asked to evaluate in the course of the annual evaluation process.

EMPLOYEE: Ava Slaughter EVALUATOR: Michael Gibson

DEPARTMENT: GIS

JOB TITLE: Technology Support Specialist

Exposure to employee's performance within the last 12 months: ☐ Extensive ☐ Moderate ☑ Limited

Circumstances prompting comments:

Comments:

I can't evaluate technology because I know nothing about it. However, I have nothing critical to say about Ava - she works very hard.

Signed by Evaluator: Michael M. Gibson Date: 5-18-02

Have you discussed your evaluation with the employee? ☐ YES ☑ NO

Signed by Employee: Ava Slaughter Date: 6/21/02

THIS EVALUATION WILL BE OPEN TO THE EMPLOYEE

JONES DAY

FIRM OFFICE
STAFF PERFORMANCE EVALUATION

2003

EMPLOYEE: Mary Adams EVALUATOR: Sara White

DEPARTMENT: Firm GIS / Infrastructure & Operations

JOB TITLE: Technology Services Analyst

Exposure to employee's performance within the last 12 months: ☒ Extensive ☐ Moderate ☐ Limited

PERFORMANCE CRITERIA		Outstanding	Exceeds Requirements	Satisfactory	Needs Improvement	Unsatisfactory	Not Applicable
WORK-RELATED SKILLS	1. Understanding of and level of proficiency in:						
	Operating system environments			✓			
	Jones Day standard software applications	✓					
	Hardware configurations			✓			
	PC/JDNET integration		✓				
	Clients/servers			✓			
	Networking and communications		✓				
	Troubleshooting and diagnostics	✓					
	2. Understanding of and adherence to established GIS policies and procedures		✓				
	3. Ability to choose appropriate action in event of emergency or critical need			✓			
	4. Quality of work		✓				
	5. Speed of work			✓			
	6. Assumption of active role in skill development and enhancement	✓					
JOB EXECUTION	1. Follow-through on instructions		✓				
	2. Judgment			✓			
	3. Response to pressure and changes in instructions, systems, needs and priorities			✓			
	4. Demonstration of initiative	✓					
	5. Teamwork, including assisting others during idle periods			✓			
	6. Mastery of new skills and processes, as necessary		✓				
	7. Acceptance of guidance and application of constructive feedback to improve work performance		✓				
	8. Adherence to established department, Office and Firm procedures	✓					
TIME MANAGEMENT	1. Prioritization of multiple work assignments		✓				
	2. Communication regarding whereabouts, and practice of limiting personal time away from department			✓			
	3. Working of overtime, as necessary		✓				
	4. Practice of limiting number and duration of personal telephone calls			✓			
	5. Punctuality; beginning and returning to work on time			✓			
	6. Maintenance of good attendance record; appropriate management of leave		✓				
INTER-PERSONAL	1. Effectiveness of communication with department supervisory and Office and Firm administrative staff	✓					
	2. Effectiveness with lawyers and other staff throughout the Office and Firm		✓				
	3. Professional and constructive approach to work, Office and Firm		✓				

Please provide a brief narrative of this employee's strengths and areas needing improvement:

Please see attached document.

Please list developmental goals, skills or areas in which you would like this employee to focus for the coming year:

Signed by Evaluator: Sara White Date: 6-26-03 Have you discussed your evaluation with the employee? (YES)/NO

Signed by Employee: Mary M. Adams Date: 6-26-03

THIS EVALUATION WILL BE OPEN TO THE EMPLOYEE

Mary Adams

Brief Narrative of Employee Strengths and Areas Needing Improvement:

Mary transferred to the Regional Team in October 2002 from the Process and Methodology Services group. This was an excellent choice because her skills are such an excellent fit to the work we do in the Regional groups. She is extremely dedicated to her assignments and has a willingness to do whatever is asked of her. She has wholly embraced her position as an advocate for the offices and speaks on their collective behalf at all times. They are lucky to have her representing them. I feel it's safe to say that she has successfully built a relationship of trust amongst the GIS Managers.

A lot of the work she does involves communicating to the local office GIS staff, listening to their concerns, pursuing issues here at Firm on their behalf, and exercising some project management skills.

- Mary has strong writing skills and they are often put to use in the many communications we send to the local offices.
- Mary is very willing to "work the phones" and contact the GIS Managers often to find out what is happening in their offices and see if there are things we can do here in Cleveland to ease any burdens they are experiencing.
- Her best skill, and the one that is called upon to utilize most often, is her natural ability to follow-up on open issues. Mary does a great job of tracking them and she has a tenacious ability to "dog" those in Firm GIS that are working on open local office issues. Her ability to close out those issues is invaluable.
- Mary has been able to use some project management skills by leading some of the office expansions herself. She is currently coordinating the Firm GIS tasks for the Chicago expansion to the 33rd floor. It takes a deft hand to keep the right people focused on a relatively minor facility project, while not annoying them with persistence. I think Mary does a good job at that.

Because of her genuine enthusiasm for her job, it is my belief that she sometimes works too quickly. At times this can result in errors and I would like to see her take more time in her written communications to prevent these lapses.

List of Developmental Goals, Skills and Areas for Focus for the Coming Year:

As I said above, I'd like to see Mary take more time reviewing and proofreading her work before sending it out.

Mary would benefit from more Project Management training, since our group handles many office moves and expansions that require good leadership and coordination skills. Given the current educational constraints, Mary, with my assistance, will have to find creative ways to build on this. Perhaps we can look to the PMO for some materials and guidance.

I would also like to see Mary continue to build and strengthen her relationships with the GIS office teams and the Office Administrators. This makes our existence as a group much more effective and even more capable of producing results.

JONES DAY.

FIRM OFFICE
STAFF PERFORMANCE EVALUATION

2002

EMPLOYEE: Mary Adams
EVALUATOR: Brian Scramling

DEPARTMENT: GIS/Infrastructure & Distribution Services

JOB TITLE: Process Analyst

Exposure to employee's performance within the last 12 months: ☑ Extensive ☐ Moderate ☐ Limited

PERFORMANCE CRITERIA		Outstanding	Exceeds Requirements	Satisfactory	Needs Improvement	Unsatisfactory	Not Applicable
WORK-RELATED SKILLS	1. Understanding of and level of proficiency in:						
	Operating system environments						✓
	Jones Day standard software applications		✓				
	Hardware configurations						✓
	PC/JDNET integration						✓
	Clients/servers						✓
	Networking and communications			✓			
	Troubleshooting and diagnostics			✓			
	2. Understanding of and adherence to established GIS policies and procedures		✓				
	3. Ability to choose appropriate action in event of emergency or critical need			✓			
	4. Quality of work			✓			
	5. Speed of work		✓				
	6. Assumption of active role in skill development and enhancement		✓				
JOB EXECUTION	1. Follow-through on instructions		✓				
	2. Judgment		✓				
	3. Response to pressure and changes in instructions, systems, needs and priorities			✓			
	4. Demonstration of initiative		✓				
	5. Teamwork, including assisting others during idle periods		✓				
	6. Mastery of new skills and processes, as necessary			✓			
	7. Acceptance of guidance and application of constructive feedback to improve work performance			✓			
	8. Adherence to established department, Office and Firm procedures			✓			
TIME MANAGEMENT	1. Prioritization of multiple work assignments		✓				
	2. Communication regarding whereabouts, and practice of limiting personal time away from department	✓					
	3. Working of overtime, as necessary	✓					
	4. Practice of limiting number and duration of personal telephone calls	✓					
	5. Punctuality; beginning and returning to work on time	✓					
	6. Maintenance of good attendance record; appropriate management of leave	✓					
INTER-PERSONAL	1. Effectiveness of communication with department supervisory and Office and Firm administrative staff	✓					
	2. Effectiveness with lawyers and other staff throughout the Office and Firm	✓					
	3. Professional and constructive approach to work, Office and Firm	✓					

Please provide a brief narrative of this employee's strengths and areas needing improvement:

Mary was transferred to the PAMS group from the NAG group on January 1, 2002. Mary has been a valuable asset to the PAMS group. She has shown dedication and the willingness to do whatever is necessary to get the job done. She communicates very well with her peers and continuously demonstrates a positive attitude. She has proven to be a good team player and is equally competent when working independantly. Her written communication skills are continuously improving. There have been times when her non-verbal, i.e. body language, have proved somewhat distracting. However, after a couple of discussions we were able to reach an understanding about both of our communication deficiencies. Since then there have been no further issues.

Mary has expressed a desire to assume more responsibilities, especially in the areas of management. I believe her contributions to date on the iManage project has gone a long way to prove she is capable of added responsibilities.

Please list three developmental goals, skills or areas in which you would like this employee to focus for the coming year:

I recommend Mary should continue to focus on her communication skills. These skills are critical as a Process Analyst and as a manager.

Mary should continue to refine her organizational skills. Especially in the areas of project management and time management. As her responsibilities grow so will the need for these skills.

Finally, I believe Mary should continue to refine her coordination skills. The ability to motivate personnel and coordinate work flows will become an increasingly bigger part of her responsibilities.

Signed by Evaluator: [signature] Date: 5/11/2

Have you discussed your evaluation with the employee? YES (circled) NO

Signed by Employee: Mary M. Adams Date: 6-25-02

THIS EVALUATION WILL BE OPEN TO THE EMPLOYEE

000309

330-2004-01431

From: "David L Williams" <dlwilliams@JonesDay.com>
To: "FRANK ZAMARRIPA" <FRANK.ZAMARRIPA@EEOC.GOV>
Date: 4/22/2004 8:19:42 AM
Subject: Re: Ava Slaughter v. Jones Day/ position statement

Mr. Zamarripa--

May 17 should work based on current view of schedule. Thank you.

David L. Williams
Firm Human Resources Director and Counsel
202-879-5469 (4-5469)

"FRANK ZAMARRIPA" <FRANK.ZAMARRIPA@EEOC.GOV>

04/22/04 09:14 AM

To: <dlwilliams@JonesDay.com>
cc:
Subject: Re: Ava Slaughter v. Jones Day/ position statement

That is alright. Shall we say May 17, 2004? Plese let me know and I will put this note in the file. Thank you for your cooperation in this matter.

>>> "David L Williams" <dlwilliams@JonesDay.com> 4/21/2004 11:37:10 AM
>>>
Mr. Zamarripa--

Regarding our position statement,
I
will be out of town most of next week and therefore would appreciate
your
giving us another three weeks or so to submit our position statement in

this matter. Thank you for your consideration. Please let me know.

David L. Williams
Firm Human Resources Director and Counsel
202-879-5469 (4-5469)

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The preceding e-mail message (including any attachments) contains information that may be confidential, be protected by the attorney-client
or other applicable privileges, or constitute non-public information.

,IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

AVA SLAUGHTER,	§	
Plaintiff,	§	
	§	
	§	
v.	§	**Civil Action No. H-05-3455**
	§	
JONES DAY,	§	
	§	
Defendant.	§	
	§	

DEFENDANT JONES DAY'S RESPONSES TO PLAINTIFF SLAUGHTER'S FIRST SET OF INTERROGATORIES

TO: Ava Slaughter by and through her attorney of record, Thomas H. Padgett, Jr., Baker & Patterson, L.L.P., The Isis Theatre Building, 1004 Prairie, Suite 300, Houston, Texas 77002.

Pursuant to Federal Rules of Civil Procedure 26(b)(1) and 33, Defendant Jones Day ("Jones Day") hereby serves these its Responses to Plaintiff Slaughter's First Set of Interrogatories.

Respectfully submitted,

Shauna Johnson Clark
State Bar No. 00790977
Federal I.D. No.
Fulbright Tower
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
Telephone: (713) 651-5151
Facsimile: (713) 651-5246

Attorney-in-Charge for Defendant
JONES DAY

OF COUNSEL:
FULBRIGHT & JAWORSKI L.L.P.

EXHIBIT 12

CERTIFICATE OF SERVICE

This pleading was served in compliance with Rule 5 of the Federal Rules of Civil Procedure on this 3rd day of April, 2006 on Plaintiff's counsel via United States mail certified, return receipt requested, at the address listed below:

Thomas H. Padgett, Jr.
Baker & Patterson, L.L.P.
The Isis Theatre Building
1004 Prairie, Suite 300
Houston, Texas 77002.
CM/RRR 7160 3901 9848 0487 4153

Shauna Johnson Clark

DEFENDANT JONES DAY'S RESPONSES TO PLAINTIFF SLAUGHTER'S FIRST SET OF INTERROGATORIES

1. Please identify each and every person who is responding to these interrogatories. For individuals who are identified, please identify the interrogatories, and sub parts, which each individual answers or has knowledge of the facts necessary to answer the interrogatory or sub part. For the individuals identified, please provide the individual's current address, phone number, and identify the position of employment.

RESPONSE: Objection: Defendant objects to this interrogatory on the grounds that it is overbroad and seeks information protected by the attorney client, work product and investigative privileges. Subject thereto and without waiving same, the following individuals provided information responsive to these interrogatories:

Mr. Hugh Whiting
Partner-in-Charge
Houston Office
Jones Day
717 Texas, Suite 3300
Houston, Texas 77002

Mr. Kevin Richardson
Office Administrator
Houston Office
Jones Day
717 Texas, Suite 3300
Houston, Texas 77002

2. Please identify each and every reason that the position of Manager, GIS, was opened for applications. Please identify each and every person involved in making the decision to open the position of Manager, GIS for applications.

RESPONSE: Objection. Defendant objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, harassing, vague, ambiguous, and not designed to lead to the discovery of any evidence probative of any issue in this lawsuit. Subject thereto and without waiving same, during the period from approximately January 2001 until January 2004, Jones Day's Houston office experienced significant growth. As of January, 2001, Jones Day's Houston office had 19 attorneys and 14 staff for a total of 33 personnel. This total personnel number increased to 52 as of January 2002, to 62 as of January 2003 and to 75 as of January 2004. As a direct result of the growth of the office, Houston's office's planned move to new office space and the firm's anticipated growth over the next few years, Mr. Hugh Whiting, Partner-in-Charge of the Houston Office, and Kevin Richardson, the Houston Office Administrator, decided to create a GIS Manager position in or around September 2003.

3. Please identify the five individuals involved in the decision making process who decided that Ava Slaughter would not receive the position of Manager, GIS. In response to this question, identify means to provide the current or last known address, phone number, position, experience with the company, and race of the individuals involved.

RESPONSE: Objection. Defendant objects to this interrogatory on the grounds that it assumes facts not in evidence. Subject thereto and without waiving same, the selection group for this position in the Houston Office were Hugh Whiting, Kevin Richardson, Scott Cowan, Partner, and Mark Metts, Partner. Each individual may be contacted through Jones Day's attorney of record, Shauna Johnson Clark, Fulbright & Jaworski L.L.P., 1301 McKinney Suite 5100, Houston, Texas 77010.

4. Please identify each and every reason Ava Slaughter was not chosen for the position of Manager, GIS. Please identify whether the reasons given in response to this interrogatory are object or subjective. For objective reasons, please identify the location of documents or other evidence which supports the reason.

RESPONSE: Objection. Defendant objects to this interrogatory on the grounds that it is overbroad and unduly burdensome. Subject thereto and without waiving same, Ms. Slaughter was not selected for the Manager, GIS position because she was not the best qualified candidate. The answer to this question can be derived, in part, from Defendant's position statement to the Equal Employment Opportunity Commission which is attached to these responses pursuant to Federal Rule of Civil Procedure 33(d).

5. Please identify each and every reason that the position of Manager, GIS was awarded to another individual. Identify the individual and the reasons for each individual who was chosen. Please identify whether the reasons given in response to this interrogatory are objective or subjective. For objective reasons, please identify the location of documents or other evidence which supports the reason.

RESPONSE: See objections and response to Interrogatory Number 4.

6. Please identify any and all claims of discrimination, retaliation, or other complaints that have been made against any of the individuals identified in response to Interrogatory No. 3. For any claims or complaints identified in response to this question, provide the name of the individual(s) making the complaint, the locations, identifying information sufficient to locate the case or cause number, and the disposition of the complaint at the present time.

RESPONSE: Objection. Defendant objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, harassing and not designed to lead to the discovery of any evidence probative of any issue in this lawsuit.

7. With respect to Exhibit 1, Jones Day Document Bates Number 00080, please identify:

a. the author;

b. the date of the memo;

c. where this information was kept, i.e., in a drop file or a personnel file;

d. the computer upon which this document was stored or otherwise maintained; not on a computer

e. whether other memorandum, documents or notes similar to this document are maintained or kept;

f. the procedure at Jones Day which permits the keeping or requires the keeping and preparing of documents such as Bates No. 00080.

RESPONSE: Objection. Defendant objects to this request on the grounds that it is not designed to lead to the discovery of any evidence probative of any issue in this lawsuit. Subject thereto and without waiving same, on October 30, 2003, Ms. Stacy Brown, then Human Resources Coordinator, prepared Exhibit 1 during an informal meeting with Plaintiff. The contents of Exhibit 1 were then incorporated into an email which Ms. Brown sent to herself. The email was kept in a Lotus notes mailbox file. The Houston Office of Jones Day does not have a formal procedure regarding a coordinator's ability to create and maintain notes of an informal meeting with an employee. Rather, Ms. Brown, in her discretion, created and maintained this documentation of an informal meeting with Plaintiff.

8. Did the five individuals who interviewed candidates, including Ava Slaughter, for the position of Manager, GIS, keep notes or make written assessments of the strengths or weaknesses of Ms. Slaughter and any other applicants?

RESPONSE: Objection. Defendant objects to this interrogatory on the grounds that it assumes facts not in evidence. Subject thereto and without waiving same, Kevin Richardson's notes are produced.

9. If the answer to Interrogatory No. 8 is yes, please identify the location of such notes or written assessments.

RESPONSE: Responsive documents will be produced.

10. If the answer to Interrogatory No. 10 is no, please identify each and every reason why no notes or written assessments of the candidates for the position of Manager, GIS, were not kept.

RESPONSE: Objection. Defendant objects to this interrogatory on the grounds that it does not make sense.

11. Please identify the specific "significant performance deficiencies" from which you allege that Ms. Slaughter suffered. Identify by date, the specific deficiency, the date of counseling, and any documentation supporting the deficiencies for the following areas:

a. meeting deadlines

b. being organized;

c. setting priorities;

d. communicating within the Houston office and with other members of the GIS team throughout the firm.

RESPONSE: Objection. Defendant objects to this interrogatory on the grounds that it is overbroad, harassing and unduly burdensome. Subject thereto and without waiving same, during her employment with Jones Day, Plaintiff's performance was deficient in a number of areas. For example, on May 24, 2001 Mr. Richardson met with Plaintiff to discuss her failure to follow-through on eight different requests in a timely manner. Thereafter, on June 18, 2001, Mr. Richardson had another discussion with Plaintiff during which he discussed the need to keep him informed about the status of projects. He again counseled Plaintiff regarding the need to complete tasks in a more timely manner. Additional examples of Plaintiff's deficiencies are identified in Plaintiff's performance evaluations, notes, a counseling report and other documentation which is produced. Defendant reserves the right to supplement this and any and all other responses reasonably in advance of trial.

12. Why was there no GIS Manager position in existence for the Houston Office of Jones Day prior to November of 2003?

RESPONSE: Objection. Defendant objects to this interrogatory on the grounds that it is overbroad not designed to lead to the discovery of any evidence probative of any issue in this lawsuit. Subject thereto and without waiving same, see response to Interrogatory Number 2.

13. Please identify all individuals involved in the decision to create a GIS Manager position for the Houston Office of Jones Day in November 2003.

RESPONSE: Hugh Whiting and Kevin Richardson

14. If Kevin Richardson felt that Ms. Slaughter was not qualified to fill the position of GIS Manager, please identify all reasons why he encouraged her to apply for the position of GIS Manager in Houston?

RESPONSE: Objection. Defendant objects to this interrogatory on the grounds that it assumes facts not in evidence. Subject thereto and without waiving same, Mr. Richardson neither encouraged nor discouraged regarding her application for the GIS Manager position.

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

On this the 3rd day of April, 2006, Hugh R. Whiting, the affiant, appeared in person before me, a notary public, who knows the affiant to be the person whose signature appears on this document. The affiant affirmed under oath as follows: I am an authorized representative of Defendant Jones Day and entitled to make this affidavit on behalf of Defendant Jones Day, a party in this case; I have read Defendant's Answers to Plaintiff's Interrogatories; and the information in Defendant's Answers to Plaintiff's Interrogatories is true and correct according to my personal knowledge, information and belief.

SUBSCRIBED AND SWORN TO on April 3, 2006

[signature]

Hugh R. Whiting

JUANITA JENNINGS
MY COMMISSION EXPIRES
July 11, 2009

(SEAL)

[signature]

Notary Public Signature

Kevin Richardson /JonesDay
Extension 33720, or
(832) 239-3720

01/09/2002 03:39 PM

To Houston Office Staff & Legal Assistants
cc Erika M Childs/JonesDay@JonesDay, Rachel M Rivera/JonesDay@JonesDay
bcc
Subject Paging

Many of you have noticed and some of you have commented on the number of pages that have seemingly increased over the last several months. This has resulted in the "airport" effect in the office and I would request that unless your need is extremely time sensitive you do not request the Receptionist to page somebody. Instead, please use voice mail and/or e-mail. As a reminder, most technical issues should first be addressed to 6-HELP. As necessary, 6-HELP escalates to office GIS.

Thanks for your cooperation.

EXHIBIT
tabbies
13

JONES DAY

COUNSELING REPORT

To: Ava Slaughter

From: Stacey Brown

1. **The observation/report of employee's conduct which resulted in this conference are as follows:**

   It has come to our attention that you (1) tape recorded conversations within the Firm without the knowledge of the other participants and (2) obtained access to and/or took Firm documents or copies of Firm documents without authorization and/or a business reason to do so.

2. **I have informed employee that the following standards are expected in the future:**

   You are hereby reminded of Firm policy regarding tape recordings and Firm property, namely:

   "Lawyers, legal support personnel, and staff are prohibited from making any personal recordings (audio or video) or transmitting data by recorder, camera, cellular telephone or otherwise, of any meeting, conference or individual discussion without the knowledge and consent of all other participants in such meeting, conference or discussion."

   "Firm personnel are not to use a password, access a document or file, or retrieve a stored communication that is not normally accessible, unless authorized to do so for business purposes."

   TSS personnel, like other employees, must have a legitimate business reason for accessing documents, mailboxes, etc. or for removing Firm materials from the office.

3. **Was any warning given or were any deadlines set?**

   Any future violation of the above may result in disciplinary action, up to and including dismissal.

4. **Individuals attending conference:**
   Stacey Brown, Scott Nielsen, Ava Slaughter

Stacey Brown 6/20/06
Human Resources Signature/Date

I have read and received a copy of the above statement.

Employee refuses to sign
Employee Signature/Date

EXHIBIT
14
tabbies

FULBRIGHT & JAWORSKI L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP
FULBRIGHT TOWER
1301 MCKINNEY, SUITE 5100
HOUSTON, TEXAS 77010-3095
WWW.FULBRIGHT.COM

SHAUNA JOHNSON CLARK
PARTNER
SCLARK@FULBRIGHT.COM

DIRECT DIAL: (713) 651-5601
TELEPHONE: (713) 651-5151
FACSIMILE: (713) 651-5246

July 28, 2006

Re: Civil Action No. H-05-3455
Ava Slaughter v. Jones Day
In the United States District Court for the Southern District of Texas, Houston Division.

CM/RRR 7160 3901 9849 4776 8272

Mr. Thomas Padgett, Jr.
Baker & Patterson, L.L.P.
The Isis Theatre Building
1004 Prairie, Suite 300
Houston, Texas 77002

Dear Mr. Padgett:

Enclosed please find Defendant Jones Day's Objections and Responses to Plaintiff Slaughter's Second Set of Interrogatories in the above-referenced matter. Please feel free to contact me if you have any questions.

Very truly yours,

Shauna Johnson Clark

SJC/slh/31153332/10505938

Enclosure

JUL 3 1 2006

FULBRIGHT & JAWORSKI L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP
FULBRIGHT TOWER
1301 MCKINNEY, SUITE 5100
HOUSTON, TEXAS 77010-3095
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SHAUNA JOHNSON CLARK
PARTNER
SCLARK@FULBRIGHT.COM

DIRECT DIAL: (713) 651-5601
TELEPHONE: (713) 651-5151
FACSIMILE: (713) 651-5246

July 31, 2006

Re: Civil Action No. H-05-3455
Ava Slaughter v. Jones Day
In the United States District Court for the Southern District of Texas, Houston Division.

CM/RRR 7160 3901 9849 4777 9001

Mr. Thomas Padgett, Jr.
Baker & Patterson, L.L.P.
The Isis Theatre Building
1004 Prairie, Suite 300
Houston, Texas 77002

Dear Mr. Padgett:

Enclosed please find Defendant Jones Day's Objections and Responses to Plaintiff Slaughter's Second Set of Interrogatories, along with Mr. Whiting's affidavit. Please feel free to contact me if you have any questions.

Very truly yours,

Shauna J. Clark by slh

Shauna Johnson Clark

SJC/slh/31167398/10505938

Enclosure

AUG 1 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

AVA SLAUGHTER,	§	
Plaintiff,	§	
	§	
v.	§	**Civil Action No. H-05-3455**
	§	
JONES DAY,	§	
Defendant.	§	

DEFENDANT JONES DAY'S OBJECTIONS AND RESPONSES TO PLAINTIFF SLAUGHTER'S SECOND SET OF INTERROGATORIES

TO: Ava Slaughter by and through her attorney of record, Thomas H. Padgett, Jr., Baker & Patterson, L.L.P., The Isis Theatre Building, 1004 Prairie, Suite 300, Houston, Texas 77002.

Pursuant to Federal Rules of Civil Procedure 26(b)(1) and 33, Defendant Jones Day ("Jones Day") hereby serves these its Objections and Responses to Plaintiff Slaughter's Second Set of Interrogatories.

Respectfully submitted,

Shauna Johnson Clark
State Bar No. 00790977
Federal I.D. No. 18235
Fulbright Tower
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
Telephone: (713) 651-5151
Facsimile: (713) 651-5246

Attorney-in-Charge for Defendant
JONES DAY

OF COUNSEL:
FULBRIGHT & JAWORSKI L.L.P.

CERTIFICATE OF SERVICE

This pleading was served in compliance with Rule 5 of the Federal Rules of Civil Procedure on this 28th day of July, 2006 on Plaintiff's counsel via United States mail certified, return receipt requested, at the address listed below:

Thomas H. Padgett, Jr.
Baker & Patterson, L.L.P.
The Isis Theatre Building
1004 Prairie, Suite 300
Houston, Texas 77002.
CM/RRR 7160 3901 9849 4776 8272

Shauna Johnson Clark

DEFENDANT JONES DAY'S OBJECTIONS AND RESPONSES TO PLAINTIFF SLAUGHTER'S SECOND SET OF INTERROGATORIES

1. Please identify each and every reason Jones Day disciplined Ms. Slaughter on or about June 20, 2006.

RESPONSE: The reasons Jones Day issued a counseling report to Ms. Slaughter on or about June 20, 2006 are clearly identified in the counseling report which is attached as Exhibit 1 to this interrogatory.

2. Please identify each and every individual other than Ms. Slaughter who has been disciplined for any reason after filing charges of discrimination or otherwise participating in an investigation of charges or allegations of violations of civil rights.

RESPONSE: Objection. Defendant objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, harassing and not designed to lead to the discovery of any evidence probative of any issue in this lawsuit. Subject thereto and without waiving same, there have been no other employees in the Houston Office who received a counseling report after filing a charge of discrimination or otherwise participating in an investigation of charges or allegations of violations of civil rights.

3. Please state the date on which Jones Day became aware that Ms. Slaughter had:

   a. tape recorded a conversation;

   b. provided the document to her attorneys.

RESPONSE:

a. On the date Jones Day reviewed Ms. Slaughter's responses to its interrogatories and request for production of documents, Jones Day suspected she may have tape recorded a conversation in violation of Jones Day's policies.

b. On the date Jones Day reviewed Ms. Slaughter's responses to its interrogatories and request for production of documents, Jones Day suspected she may have provided documents to her attorneys in violation of Jones Day's policies.

4. Please identify each and every reason Jones Day waited from the dates identified in response to Interrogatory No. 3 until June 20, 2006 in order to discipline Ms. Slaughter.

RESPONSE: Objection. Defendant objects to this request on the grounds that it assumes facts not in evidence and it is not designed to lead to the discovery of any evidence probative of any issue in this lawsuit. Defendant objects to this interrogatory to the extent it seeks information protected by the attorney client, attorney work product and investigative privileges. Subject thereto and without waiving same, Defendant issued the counseling report to Ms. Slaughter when it became clear that she had engaged in the conduct covered by the report.

5. Please identify the warnings given or deadlines set for Ms. Slaughter with respect to the violations listed in the counseling report of June 20, 2006.

RESPONSE: A copy of the June 20, 2006 counseling report is attached as Exhibit 1.

6. Please identify each and every individual who is in the same or similar position of Ms. Slaughter from January 1, 2003 to the present. For each individual, please provide the name, address, current work address, if not Jones Day, phone number, gender and race. Please provide the dates of employment and the reasons for separation from employment, if applicable.

RESPONSE: Objection. Defendant objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, harassing and not designed to lead to the discovery of any evidence probative of any issue in this lawsuit. Subject thereto, Ms. Slaughter is the only Technology Support Specialist I employed in the Houston office.

7. Please identify each and every individual who has held the position of GIS manager (or any other name for that position at Jones Day) from January 1, 2003 to the present. For each individual, please provide the name, address, current work address, if not Jones Day, phone number, gender and race. Please provide the dates of employment and the reasons for separation from employment, if applicable.

RESPONSE: Objection. Defendant objects to this request on the grounds that it is overly broad, unduly burdensome and not designed to lead to the discovery of any evidence probative of any issue in this lawsuit. Subject thereto and without waiving same, the following individuals have held the title of GIS Manager or Technology Support Services ("TSS") Manager in the Houston office since January 1, 2003:

Ms. Jerri Del Riesgo
695 Wallinger Drive
Galloway, OH 43119

White Female

Ms. Del Riesgo was employed as the GIS Manager in the Houston Office from November 1, 2003 until August 13, 2004.

Ms. Del Riesgo resigned on August 13, 2004 for personal reasons.

Mr. Scott Nielsen
c/o Jones Day
711 Texas
Suite 3300
Houston, Texas 77002-2712

White Male

Mr. Nielsen became the TSS Manager on September 13, 2004, and he currently serves in this position.

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

On this the 31st day of July, 2006, Hugh R. Whiting, the affiant, appeared in person before me, a notary public, who knows the affiant to be the person whose signature appears on this document. The affiant affirmed under oath as follows: I am an authorized representative of Defendant Jones Day and entitled to make this affidavit on behalf of Defendant Jones Day, a party in this case; I have read Defendant's Answers to Plaintiff's 2nd Set of Interrogatories; and the information in Defendant's Answers to Plaintiff's 2nd Set of Interrogatories is true and correct according to my personal knowledge, information and belief.

SUBSCRIBED AND SWORN TO on July 31, 2006.

HR Whiting

Hugh Whiting

(SEAL)

Juanita Jennings 7/31/06

JUANITA JENNINGS
MY COMMISSION EXPIRES
July 11, 2009

31166201.1/10505938